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jc970 U.S. PRO

**DIVISIONAL CONTINUATION APPLICATION TRANSMITTAL FORM**  
**UNDER RULE 1.53(b) (former Rule 1.60)**

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/534,432	PRIOR APPLICATION FILING DATE: MARCH 23, 2000
TMI-032CN2	CLASS:	SUBCLASS:	EXAMINER:	ART UNIT: 1643

COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
WASHINGTON, DC 20231

### CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: December 22, 2000

Mailing Label Number: EL 589 739 496 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Larry Taylor

Name of Person Mailing Paper

Washington, D.C. 20231.

*Gassy Taylor*

Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application no. 09/534,432 filed on March 23, 2000, of Michael J. Lane, Albert S. Benight and Brian D. Faldasz entitled Methods and Compositions for Modulating "Marginally Indiscriminant" Hybridizations, which is a continuation of application no. 09/366,085, filed on August 3, 1999, claiming priority under U.S.C. 119(e) to U.S. provisional application no. 60/095,313 filed August 4, 1998.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
- ☒ 22 page(s) of specification
  - ☒ 12 page(s) of claims
  - ☒ 1 page(s) of abstract
  - ☒ 10 sheet(s) of drawing
  - ☒ 6 page(s) of declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/534,432 as originally filed on March 23, 2000.

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 1	MINUS	** 20	0
INDEP.	* 1	MINUS	*** 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

☐ MULTIPLE DEPENDENT CLAIMS

SMALL ENTITY	
RATE	FEE
x 9 =	\$ 0.00
x 39 =	\$ 0.00
+130 =	\$ .00
<b>BASIC FEE</b>	<b>\$345.00</b>
<b>TOTAL</b>	<b>\$345.00</b>

OR

OTHER THAN A SMALL ENTITY	
RATE	FEE
x 18 =	\$0.00
x 78 =	\$0.00
+ 260 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$0.00

**OR**

- A/

**LAHIVE & COCKFIELD, LLP**  
28 State Street  
Boston, Massachusetts 02109  
Tel. (617) 227-7400

Nicholas P. Triano, III  
Reg. No. 36,397

- ☐ inventor(s) ☐ filed under §1.34(a)  
☐ assignee of complete interest  
☒ attorney or agent of record

[illegible]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lane, M. J., et al.

Application No.: 09/534,432

Filed: March 23, 2000

For: METHODS AND COMPOSITIONS FOR  
MODULATING "Marginally  
Indiscriminant" Hybridizations

Attorney Docket No.: TMI-032CN

Group Art Unit: 1643

Examiner:

JC715 U.S. PTO  
09/747164  
12/22/00

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR FIVE MONTH EXTENSION OF TIME**

Dear Sir:

Applicants request a five month extension of time pursuant to 37 CFR §1.136(a) in which to respond to the Notice to File Missing Parts of Application dated May 25, 2000. This extension is being filed in order to maintain pendency for filing a continuation application.

Enclosed is a check which covers the appropriate fee of \$945.00 based on small entity status. Please charge any underpayments or credit any overpayments to our Deposit Account No. 12-0080. A duplicate of this sheet is enclosed.

**Certificate of First Class Mailing (37 CFR 1.8(a))**

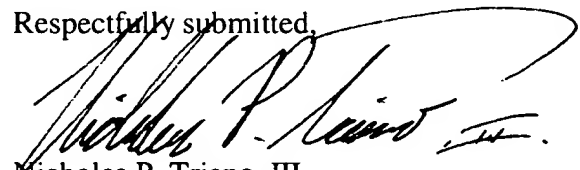
I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: **Commissioner for Patents, Washington, DC 20231** on:

December 22, 2000

Date

Nicholas P. Triano, III, Reg. No. 36,397

Respectfully submitted,

  
Nicholas P. Triano, III  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lane, M. J., et al.

Application No.: 09/534,432

Filed: March 23, 2000

For: METHODS AND COMPOSITIONS FOR  
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Attorney Docket No.: TMI-032CN

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Examiner:



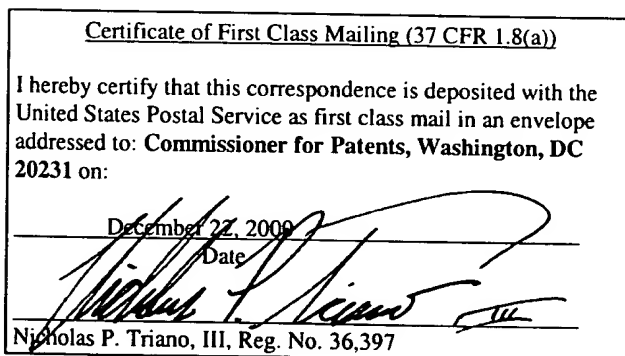
Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

**PAYMENT OF RETENTION FEE**

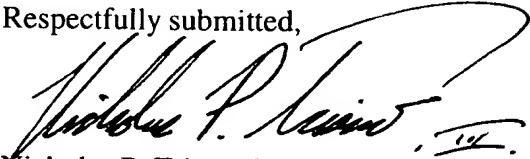
Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated May 25, 2000, Applicant's attorney submits herewith a check in the amount of \$130.00 for payment of the processing and retention fee as set forth in 37 CFR 1.21(l). A copy of Form PTO-1533 is also enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.



Respectfully submitted,

  
Nicholas P. Triano, III  
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